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Speaking with Conviction: The Importance of Effective and Precise Communications

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speaking with conviction

the importance of effective and precise communication

My son (the inquisitive one who talks about himself too much – see previous columns) is about to start third grade. Can the poor kid ever win when his dad is a legal writing professor? Precious gems of grammatical wisdom are proffered daily by his doting (albeit grammatically obsessive) father. But my best piece of advice for him, my students, and legal professionals is not about grammar. My advice is intuitive yet decreasingly followed: speak with conviction.

As lawyers, we are wordsmiths. We must write precisely and concisely to communicate our points effectively. But the task of clarity and effective communication does not end once we start speaking. As lawyers, we need to sound (and hopefully actually know) what we are talking about. Increasingly, however, the legally-trained sound less and less authoritative – not because they are less intelligent and skilled, but because they sound less intelligent and skilled.

This column authoritatively provides tips and pointers on how to “win friends and influence people” by speaking with conviction.

1. Like, respect the formality!

“Like” should be used as a feeling of admiration or a means of comparison, not an interjectional means of emphasis, a placeholder, or a stammer. You ask an attorney for advice, or ask a paralegal or law clerk a question, and she says, “So, I will, like, have to do some research and get back to you, like, as soon as I, like, can.” Does her response instill confidence in her, like, abilities? Most likely no. Even if the speaker is the most adept researcher in the world, her use of the word “like” suggests that she is informal, not taking the assignment seriously, and perhaps a bit uneducated. Instead, save the placeholder “like” for personal, not professional

endeavors. Doing so makes you seem more authoritative and builds credibility and respect with your audience. It's, like, a win-win.

2. Um, we are not done!

Many of even the best law-trained professionals fill the silence by using "um," "uh," or a similarly unnecessary "word." Silence is often disconcerting to a speaker, and the use of a filler word helps break the silence until the speaker can locate the next word. Overuse of such filler words, however, has a negative effect on one's credibility. Consider the following quote: "Give me liberty, or give me death!" Patrick Henry spoke these words at the Virginia Convention in 1775, and over 200 years later, they still conjure up feelings of patriotism and the American spirit. Patrick Henry spoke these words with conviction. Had he said, "Give me, um, liberty, or, uh, give me, um, death!," Patrick Henry's words, unconfidently and tentatively spoken, would not endure. In fact, they might have been ignored from the first moment he spoke them. If there are any, uh, naysayers, out there, listen to speakers who overuse "uh" and "um" and those who do not. There is a remarkable difference in the level of authority and intellect such speakers portray.

To get rid of filler words (or at least to reduce them), speak slowly. Speaking slowly typically allows you to think ahead to the next word and eliminates the need for filler. Also, concentrate carefully on what you want to say – doing so will make you feel more confident about your words. "Um" is often your mouth waiting for your mind to finish its thought; accordingly, preparing thoroughly and in advance helps reduce filler words. "Winging it" simply does not work.

3. We, you know, get it, or whatever!

The list of unnecessary words and phrases is endless. Phrases such as the bolded ones used above add nothing to your point; in fact, they likely take away from its very effectiveness.

The moral of this story is to care about what you sound like – as lawyers are not only wordsmiths, but also orators – at least they are supposed to be. Just like in writing, in speaking, lawyers need to choose each word meticulously. Do not make a good impression with your writing only to lose it with your speaking: concise, articulate, and coherent writing and speaking are intricately connected and equally important. Effective representation requires elegant and precise written and spoken word – not hesitation, not stammering, and not a lack of confidence in what one wants to say and how one should say it. ■

Comments, **uh**, suggestions, or, **like**, questions, are, **you know**, welcome, or **whatever**, at dspratt@wcl.american.edu.



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